

SECOND REGULAR SESSION

HOUSE BILL NO. 2101

96TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE GATSCHENBERGER.

6322L.01I

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 321, RSMo, by adding thereto one new section relating to fire protection districts.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 321, RSMo, is amended by adding thereto one new section, to be known as section 321.228, to read as follows:

321.228. 1. As used in this section, the following terms shall mean:

(1) "Residential construction", new construction and erection of detached single-family or two-family dwellings or the development of land to be used for detached single-family or two-family dwellings;

(2) "Residential construction regulatory system", any bylaw, ordinance, order, rule, or regulation adopted, implemented, or enforced by any city, town, village, or county that pertains to residential construction, to any permitting system, or program relating to residential construction, including but not limited to the use or occupancy by the initial occupant thereof, or to any system or program for the inspection of residential construction. Residential construction regulatory system also includes the whole or any part of a nationally recognized model code, with or without amendments specific to such city, town, village, or county.

2. Notwithstanding the provisions of any other law to the contrary, if a city, town, village, or county adopts or has adopted, implements, and enforces a residential construction regulatory system applicable to residential construction within its jurisdiction, any fire protection districts wholly or partly located within such city, town, village, or county shall be without power, authority, or privilege to enforce or implement a residential

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 **construction regulatory system purporting to be applicable to any residential construction**
19 **within such city, town, village, or county. Any such residential construction regulatory**
20 **system adopted by a fire protection district or its board shall be treated as advisory only**
21 **and shall not be enforced by such fire protection district or its board.**

22 **3. Notwithstanding the provisions of any other law to the contrary, fire protection**
23 **districts:**

24 **(1) Shall have final regulatory authority regarding the location and specifications**
25 **of fire hydrants, fire hydrant flow rates, and fire lanes, all as it relates to residential**
26 **construction; and**

27 **(2) May inspect the alteration, enlargement, replacement or repair of a detached**
28 **single-family or two-family dwelling; and**

29 **(3) Shall not collect a fee for the services described in subdivisions (1) and (2) of this**
30 **subsection.**

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